UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,468	09/30/2003	Jeyhan Karaoguz	14309US02	5572

23446 7590 08/25/2010

MCANDREWS HELD & MALLOY, LTD
500 WEST MADISON STREET
SUITE 3400
CHICAGO, IL 60661

EXAMINER	
RYAN, PATRICK A	

ART UNIT	PAPER NUMBER
2427	

MAIL DATE	DELIVERY MODE
08/25/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 10/675,468
Filing Date: September 30, 2003
Appellant(s): KARAOGUZ ET AL.

Mr. Kirk A. Vander Leest
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed appeal brief filed June 18, 2010 appealing from the Office action mailed November 23, 2009.

(1) Real Party in Interest

The examiner has no comment on the statement, or lack of statement, identifying by name the real party in interest in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The following is a list of claims that are rejected and pending in the application:

Claims 1 through 40 are pending in the instant application, all of which have been rejected.

(4) Status of Amendments After Final

The examiner has no comment on the appellant's statement of the status of amendments after final rejection contained in the brief.

(5) Summary of Claimed Subject Matter

The examiner has no comment on the summary of claimed subject matter contained in the brief.

(6) Grounds of Rejection to be Reviewed on Appeal

The examiner has no comment on the appellant's statement of the grounds of rejection to be reviewed on appeal. Every ground of rejection set forth in the Office action from which the appeal is taken (as modified by any advisory actions) is being maintained by the examiner except for the grounds of rejection (if any) listed under the subheading "WITHDRAWN REJECTIONS." New grounds of rejection (if any) are provided under the subheading "NEW GROUNDS OF REJECTION."

(7) Claims Appendix

The examiner has no comment on the copy of the appealed claims contained in the Appendix to the appellant's brief.

(8) Evidence Relied Upon

7,212,730 B2	Boston et al.	05-2007
5,991,799	Yen et al.	11-1999
2002/0161713 A1	Oh	10-2002

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-8, 11-18, 21-28, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boston et al (US Patent 7,212,730), hereinafter "Boston", in view of Yen et al. (6,668,278 B1), hereinafter "Yen".

In reference to claims 1 and 21, Boston teaches a method (see Figure 8 described in Col. 8 Lines 52-53) of and processor (see processor 3000 of Figure 30 described in Col. 25 Lines 10-15) for providing an advertisement in a communication channel, the method and processor operation comprising:

receiving the advertisement for display on a television within a home (step 965 of Figure 9 described in Col. 10 Lines 2-4);

displaying media corresponding to at least a portion of a scheduled advertisement on said television based on said scheduling (step 935 of Figure 9 described in Col. 9 Lines 55-58; with further reference to steps 1010 and 1015 of Fig. 10 Col. 10 Lines 22-31),

Boston teaches scheduling, based on times designated by content provider, an advertisement for viewing at the user's location (step 945 of Figure 9 described in Col 9 Lines 58-61). Additionally, Boston discloses the display of but does not teach automatically display, without user interaction and prior to viewing said received advertisement, a notification of the advertisement on said television, and scheduling, based on input from a user provided after said display of said notification.

In a similar field of invention, Yen teaches "a method and system for receiving incoming information from multiple information sources, both interactive and passive, and for engagingly presenting that information to a recipient on a presentation interface" (Abstract). Yen additionally discloses that the subject matter for information items can include "which products are advertised or otherwise featured on a broadcast show or other information item" (Col. 7 Lines 29-39). Yen's system includes a Background

Element 121 for receiving and processing information and a Foreground Element 122 for presenting identifiers for information to be selected by the recipient (shown in Figs. 1 and 2, as introduced in Col. 5 Line 53—Col. 6 Line 11). Foreground Element 122 also functions to provide a notification to the user when particular information items are received ("present an indicator for the item", as Yen discloses in Col. 11 Lines 43-52; with further reference to Col. 13 Lines 19-27). Additionally, Yen demonstrates that a once the user is notified, the user can schedule the information for display immediately or add the information item to a set of information items (Col. 11 Lines 24-40).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teaches of Boston regarding the presentation of the availability of advertisement content with Yen's teaching of automatically displaying a notification allowing a user to view an information item immediately or add the information item to a list, so as to "improve the capability of the user to manage and record information from a variety of information sources" (as Yen discusses in Col. 2 Lines 14-24; with further reference to Col. 2 Line 57—Col. 3 Line 3).

In reference to claims 2 and 22, the combination of Boston and Yen teach a method of and processor for presenting data representative of said received advertisement (Figure 12 described by Boston in Col. 12 Lines 18-20) in an available slot in a channel guide (detailed edit schedule 1200 of Figure 12 described by Boston in Col.12 Lines 4-12).

In reference to claims 3 and 23, the combination of Boston and Yen teach a method of and processor for displaying data representative of said received

advertisement where the advertisement is one or more of graphical data, textural data, audio data and video data (disclosed by Boston in Col. 2 Lines 56-65).

In reference to claims 4 and 24, the combination of Boston and Yen teach a method of and processor for establishing a user profile (Figures 3 and 4 described by Boston in Col. 5 Lines 35-67 and Col. 6 Lines 1-54) indicating at least a particular type of advertisement that is to be received (detailed edit schedules 610 described by Boston in Col. 6 Lines 60-63).

In reference to claims 5 and 25, the combination of Boston and Yen teach a method of and processor for determining whether data representative of said particular type of advertisement is within said established profile (step 840 of Figure 8 described by Boston in Col.9 Lines 4-10); and if said data representative of said particular type of advertisement is within said established profile, receiving said particular type of advertisement (step 860 of Figure 8 described by Boston in Col.9 Lines 10-12).

In reference to claims 6 and 26, the combination of Boston and Yen teach a method of and processor for identifying a gap that exists in a schedule in a channel guide displayed on said television (step 835 of Figure 8 described by Boston in Col 8 Lines 52-67 and Col. 9 Lines 1-16; with further reference to Edit Schedule 815 implemented in Step 810 and depicted in Figure 12 described in Col. 12 Lines 4-32).

In reference to claims 7 and 27, the combination of Boston and Yen teach a method of and processor for scheduling at least one advertisement for display at a time corresponding to said identified gap (decision 1040 of Figure 10 described by Boston in Col. 10 Lines 44-48).

In reference to Claims 8, 18, and 28, the combination of Boston and Yen teaches a method for granting permission to schedule at least one advertisement for display within said identified gap (Boston teaches the identification of gaps in the program schedule by way of Edit Schedule 815 implemented in Step 810 and depicted in Figure 12 described in Col. 12 Lines 4-32; with further reference to steps 1010 and 1015 of Fig. 10 Col. 10 Lines 22-31. In addition, Yen teaches a method of scheduling the information for display immediately or adding the information item to a set of information items, as described in Col. 11 Lines 24-40).

In reference to claims 11, 12, 13, 14, 15, 16, and 17, the combination of Boston and Yen teach a machine-readable storage having stored thereon, a computer program having at least one code section for providing an advertisement in a communication network (disclosed by Boston in Col. 25 Lines 16-25), the at least one code section being executable by a machine (disclosed by Boston in Col. 25 Lines 25-27) for causing the machine to perform the method of claims 1 through 10, as addressed above.

In reference to claim 21, the combination of Boston and Yen teach a system for providing an advertisement in a communication network (system diagram shown in Figure 6 as described by Boston in Col. 6 Lines 55-63) for causing the machine to perform the method of claims 1 through 10, as addressed above.

In reference to claim 31, the combination of Boston and Yen teach a processor that is a media management system processor (processor 3000 of Figure 30 disclosed by Boston in Col 24 Lines 1-5).

Claims 9, 10, 19, 20, 29, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Boston and Yen as applied to Claim 1 and in further view of Oh (US PGPUB 2002/0161713 A1).

In reference Claims 9, 10, 19, 20, 29, and 30 the combination of Boston and Yen do not teach a method for offering a reward for scheduling the advertisement for display within a personal advertisement channel. In addition, Boston and Yen do not teach a method where said reward comprises at least one of free programming and reduced programming cost. However, Oh teaches a reward method of providing advertisement content to a user in which multimedia content prices are discounted in an incremental fashion dependent upon when the user elects to view the given advertisement (as disclosed in Paragraph 0054). In addition, if the user elects to view the advertisement while the multimedia content is being played, the system provides the said multimedia content for free (as disclosed in Paragraph 0054 Lines 8-12).

In view of Oh's teachings, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the method of advertisement insertion and scheduling disclosed by Boston and Yen to incorporate a method discounting programming content based on the event of a user scheduling an

advertisement to be viewed. It would be advantageous to have an advertising system that rewarded the user for scheduling an advertisement for viewing because the user would be more likely to view additional program content and related advertisements in exchange for free or reduced cost programming (as Oh describes in Paragraph 0011).

Claims 32-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Boston and Yen as applied to Claim 1 and in further view of Wood et al. (US PGPUB 2002/0054752 A1), hereinafter "Wood".

In reference to claim 32, the combination of Boston and Yen teaches the method according to claim 1, however the combination does not explicitly disclose scheduling for display one or more personal media channels on said television.

In a similar field of invention, Wood teaches a method and apparatus for organizing locally stored television recordings into personal channels (Abstract). In particular, Wood demonstrates in Figure 10 that a user can create a personal channel within a personal channel guide for displaying the recorded television shows according to a schedule (as described in Paragraphs [0061-0064]). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the scheduling and displaying of locally stored advertisements, as taught by the combination of Boston and Yen, to include a personal channel interface for organizing locally stored media content, as taught by Wood, in order to provide the user with a means to organize and consolidate the locally stored content (as Wood suggests in Paragraphs [0008-0010]).

In reference to claim 33, the combination of Boston, Yen, and Wood teaches the method according to claim 32, comprising authoring said one or more personal media channels by friends and family members of said user (Wood teaches that multiple user, for examiner within a household, can provide criteria information regarding the personal channels, as disclosed in Paragraph [0055]).

In reference to claim 34, the combination of Boston, Yen, and Wood teaches the method according to claim 32, comprising scheduling said received advertisement as an advertisement channel in a personal media channel guide (Boston teaches scheduling advertisements for a channel using “edit schedules for commercials”, as disclosed in Col. 32-40. In addition, Wood teaches the organization of locally stored media into personal channels, as shown in Fig. 10 and described in Paragraphs [0061-0064]).

The limitations of claim 35 have been addressed with claims 32 and 11.

The limitations of claim 36 have been addressed with claims 33 and 11.

The limitations of claim 37 have been addressed with claims 34 and 11.

The limitations of claim 38 have been addressed with claims 32 and 21.

The limitations of claim 39 have been addressed with claims 33 and 21.

The limitations of claim 40 have been addressed with claims 34 and 21.

(10) Response to Argument

The Examiner respectfully disagrees that the rejection should be reversed. Only those arguments having been raised are being considered and addressed in the Examiner's Answer. Any further arguments regarding other elements or limitations not specifically argued or any other reasoning regarding deficiencies in a prima facie case of obviousness that the Appellant could have made are considered by the Examiner as having been conceded by the Appellant for the basis of the decision of this appeal. They are not being addressed by the Examiner for the Board's consideration. Should the panel find that the Examiner's position/arguments or any aspect of the rejection is not sufficiently clear or a particular issue is of need of further explanation, it is respectfully requested that the case be remanded to the Examiner for further explanation prior to the rendering of a decision.[1]

Discussion of Rejections of Claims 1, 11, and 21 under 35 U.S.C. 103(a) as being unpatentable over Boston in view of Yen.

Appellant presents (Appeal Brief Pages 7-10) that the combination of Boston and Yen does not disclose or suggest the Claim 1 limitation of "automatically displaying, without user interaction and prior to viewing said received advertisement, a notification of said received advertisement on said television; [and] scheduling, based on input from a user provided after said displaying of said notification, said received advertisement for viewing on said television within said home" because "Yen is silent with respect to

[1] See 37 CFR 41.50(a)(1) and MPEP 1211.

notification of an advertisement and/or scheduling of an advertisement based on actions of a user with respect to the notification" (Appeal Brief bottom of Page 8). Appellant additional presents that "the tags/guides [of Yen] merely note, for example, products that are advertised **on a broadcast show**, but **not** a notification of a received advertisement itself (as opposed to the broadcast show), **and certainly not scheduling of the received advertisement based on input from a user after display of the notification of the received advertisement**" (emphasis added by Appellant, Appeal Brief top of Page 10; with further reference to Yen Col. 7 Lines 41-55).

As previously presented in Final Office Action of November 23, 2009 ("Office Action") Page 4, Yen discloses that "foreground element 122 presents an indicator for the [information] item" (Col. 11 Lines 43-52), where an information item can indicate "which products are advertised or otherwise featured on a broadcast show or other information item" (Col. 7 Lines 29-39). In particular, Yen states that Foreground Element 122 is instructed to "…interrupt any ongoing presentation, or to enter an active mode for presentation, so as to bring the item to the attention of the recipient…" by presenting the "indicator for the item" (Col. 11 Lines 47-52). The Examiner notes that the claim does not particularly define the nature of "displaying… a notification" such that, in a broadest reasonable interpretation, any visual notice to the user would read on the claim. In the case of Yen, it is the Examiner's position that an "indicator for the item", presented by Foreground Element 122, that "interrupt[s] any ongoing presentation" is an act of "displaying… a notification". Therefore, the Examiner submits

that Yen's teaching of presenting an indicator for the information item sufficiently addressed the claimed "notification of a received advertisement."

Additionally, the Examiner has presented, Office Action Page 4, that Yen discloses "the foreground element 122 can request confirmation from the recipient, and if confirmed, immediately begin displaying the information item" (Col. 11 Lines 29-32) or "the foreground element 122 can add the information item to a set of information items from which the foreground element 122 engages the recipient to select" (Col. 11 Lines 32- 35). The Examiner notes that the claim does not particular define the nature of "scheduling… said received advertisement for viewing" such that, in a broadest reasonable interpretation, any time-wise assignment of when viewing of the advertisement occurs would read on the claim. From the teachings of Yen, it is the Examiner's position that immediately displaying the information item or deferring the display of the information item by adding the information item to a set of information items are teachings of "scheduling… said received advertisement for viewing".

Appellant appears to argue that because Yen's "information item" includes subject mater such as "which products are advertised or otherwise features on a broadcast show or other information items" it does not address the limitations of Claim 1 because the "information item" is "of a broadcast show" and not is not related to the advertisement itself (Appeal Brief bottom of Page 9 and top of Page 10; with further reference to Yen Col. 7 Lines 25-39). The Examiner notes that the claim does not particular define the nature of an "advertisement" and only requires, for example, "…providing an advertisement in a communication channel… for display on a television

within a home", such that, in a broadest reasonable interpretation, an "advertisement" could include any advertising information provided and displayed to the user.

It is therefore the Examiner's position that the combination of Boston and Yen teach "automatically displaying, without user interaction and prior to viewing said received advertisement, a notification of said received advertisement on said television; [and] scheduling, based on input from a user provided after said displaying of said notification, said received advertisement for viewing on said television within said home" as recited in Claim 1 and similarly Claims 11 and 21.

Discussion of Rejections of Claims 2, 12, and 22 under 35 U.S.C. 103(a) as being unpatentable over Boston in view of Yen.

Appellant additionally presents (Appeal Brief Pages 11-12) that the combination of Boston and Yen does not teach the Claim 2 limitation of "presenting data representative of said received advertisement in an available slot in a channel guide" because Boston "merely discloses that commercial metadata is used to store information regarding the commercials that are **scheduled to play during the program**" and that "Boston does not disclose or suggest 'an **available slot** in a channel guide'" (emphasis added by Appellant, Appeal Brief top of Page 12; with further reference to Boston Col. 12 Lines 4-20).

The Examiner has previously presented (Office Action top of Page 5) that Boston teaches the limitations of Claim 2 by way of "detailed edit schedule 1200 of Figure 12". It particular, it is the Examiner's position that Boston's Detailed Edit Schedule 1200

reads on the claimed "channel guide" because information such as the date, start and end times, and channel identification are provided as metadata in the schedule (as shown in Fig. 12 and described in Col. 12 Lines 4-12). Boston additionally discloses (Col.12 Lines 13-20) that Program Segments 1230 includes program segments (i.e. XYZ-A from 6:00pm-6:12pm and XYZ-B from 6:16pm-6:26pm) and commercials that are scheduled to play during the program (i.e. Commercial-1 from 6:12pm-6:16pm and Commercial-2 from 6:26pm-6:30pm). It is the Examiner's position that the time periods associated with the commercials (6:12pm-6:16pm and 6:26pm-6:30pm) constitutes "data representative of said received advertisement in an available slot in a channel guide". The Examiner submits that Boston's teaching of "an available slot in a channel guide" is further demonstrated in the method of Figure 8, where "Edit Schedule 815 corresponding to the selected program and including commercial breaks is retrieved (Step 810)" (as described in Col. 8 lines 52-57) and used to determine when or if targeted commercials can be inserted during the commercial breaks (as described in Col. 8 Line 58—Col. 9 Line 27). Boston's teachings of "an available slot in a channel guide" are further demonstrated in the discussion of Claim 6, as presented below.

It is therefore the Examiner's position that the combination of Boston and Yen teach "presenting data representative of said received advertisement in an available slot in a channel guide" as recited in Claim 2 and similarly Claims 12 and 22.

Discussion of Rejections of Claims 3, 13, and 23 under 35 U.S.C. 103(a) as being unpatentable over Boston in view of Yen.

No additional arguments are presented (Appeal Brief Page 12) over and above those previously addressed. Accordingly, the rejection is believed to be proper for the previously addressed reasoning.

Discussion of Rejections of Claims 4, 14, and 24 under 35 U.S.C. 103(a) as being unpatentable over Boston in view of Yen.

No additional arguments are presented (Appeal Brief Page 13) over and above those previously addressed. Accordingly, the rejection is believed to be proper for the previously addressed reasoning.

Discussion of Rejections of Claims 5, 15, and 25 under 35 U.S.C. 103(a) as being unpatentable over Boston in view of Yen.

No additional arguments are presented (Appeal Brief Page 13) over and above those previously addressed. Accordingly, the rejection is believed to be proper for the previously addressed reasoning.

Discussion of Rejections of Claims 6, 16, and 26 under 35 U.S.C. 103(a) as being unpatentable over Boston in view of Yen.

Appellant further presents (Appeal Brief Pages 13-16) that the combination of Boston and Yen does not disclose of suggest the Claim 6 limitation of “identifying a gap that exists in a schedule in a channel guide displayed on said television” because nothing in the cited passages of Boston disclose or suggest the limitation (Appeal Brief

bottom of Page 15; with further reference to Boston Col.8 Line 52—Col. 9 Line 16 and Col. 12 Lines 4-32).

The Examiner has previously presented (Office Action Page 6) that Boston teaches the limitations of Claim 6, in part, by way of the method of Figure 8 (as described in Col. 8 Line 52—Col. 9 Line 27). In particular, Boston discloses that a decision is made at Step 835 if a commercial break is scheduled (Col. 8 Line 62—Col. 9 Line 3). As presented in the discussion of Claim 2, Boston uses an "Edit Schedule" to determine when or if a commercial can be inserted during the commercial breaks. For example, Boston discloses that "Edit Schedule 815 corresponding to the selected program and including commercial breaks is retrieved (Step 810)" (as described in Col. 8 lines 52-57) and used to determine when or if targeted commercials can be inserted during the commercial breaks (as described in Col. 8 Line 58—Col. 9 Line 27). It is the Examiner's position that Boston's determination of "commercial breaks" is analogues to the claimed "identifying a gap that exists in a schedule in a channel guide". With reference to Figure 10, Boston further teaches a method including a determination of "when a commercial break is scheduled" (at Step 1035) and, during a break, a commercial is played or recorded (at Step 1050) (as described in Col. 10 Lines 22-67).

It is therefore the Examiner's position that the combination of Boston and Yen teach "identifying a gap that exists in a schedule in a channel guide displayed on said television" as recited in Claim 6 and similarly Claims 16 and 26.

Discussion of Rejections of Claims 7, 17, and 27 under 35 U.S.C. 103(a) as being unpatentable over Boston in view of Yen.

Appellant presents (Appeal Brief Page 16) that the combination of Boston and Yen does not disclose or suggest the Claim 7 limitation of "scheduling at least one advertisement for display at a time corresponding to said identified gap" because "Boston does not 'identify a gap' (*see* above re claim 6)…" It is the Examiner's position that Boston does "identify a gap" (as addressed above with respect to Claim 6) and therefore submits that the combination of Boston and Yen teaches the limitations of Claim 7 and similarly Claims 17 and 27.

Discussion of Rejections of Claims 8, 18, and 28 under 35 U.S.C. 103(a) as being unpatentable over Boston in view of Yen.

Appellant presents (Appeal Brief Pages 16-19) that the combination of Boston and Yen does not disclose or suggest the Claim 7 limitation of "granting permission to schedule said at least one advertisement for display within said identified [gap]" because "[a]gain, as with claim 6, nothing in the cited passages of Boston discloses or suggests 'identifying a gap that exists in a schedule in a channel guide displayed on said television.'" It is the Examiner's position that Boston does "identify a gap" (as addressed above with respect to Claim 6) and therefore submits that the combination of Boston and Yen teaches the limitations of Claim 8 and similarly Claims 18 and 28.

Discussion of Rejections of Claim 31 under 35 U.S.C. 103(a) as being unpatentable over Boston in view of Yen.

No additional arguments are presented (Appeal Brief Page 19) over and above those previously addressed. Accordingly, the rejection is believed to be proper for the previously addressed reasoning.

Discussion of Rejections of Claims 9-10, 19-20, and 29-30 under 35 U.S.C. 103(a) as being unpatentable over Boston in view of Yen in further view of Oh.

Appellant presents (Appeal Brief Pages 19-21) that the combination of Boston, Yen, and Oh does not disclose or suggest "offering a reward for scheduling the advertisement for display within a personal advertisement channel displayed on said television" (as recited by the Appellants in claims 9-10 and 19-20) nor "wherein said at least one processor offers a reward for scheduling the advertisement for display within a personal advertisement channel displayed on said television" (as recited by the Appellants in claims 29-30) because "the cited portion of Oh merely discloses incentives for **watching**, as opposed to **scheduling** in a **personal advertisement channel**, advertisement content" (Appeal Brief Pages 19-20; with further reference to Oh Paragraph [0054]).

The Examiner has previously presented (Office Action Pages 7-8) that Oh demonstrates "a reward method of providing advertisement content to a user in which multimedia content prices are discounted in an incremental fashion dependent upon when the user elects to view the given advertisement" and "if the user elects to view the

advertisement while the multimedia content is being played, the system provides the said multimedia content for free". In particular, Oh allows a user to choose when to view advertisement content, such as "before the multimedia content(s) is(are) played" or "while the multimedia content(s) is(are) being played" or "after the multimedia content(s) is(are) played" and discounts the price of the multimedia content based on the user's choice (Paragraph [0054]). The Examiner again notes that (in a similar fashion to Claim 1) the claim does not particular define the nature of "…scheduling the advertisement for display…" such that, in a broadest reasonable interpretation, any time-wise assignment of when viewing of the advertisement occurs would read on the claim. It is the Examiner's position that a user's selection of viewing advertisements "before", "while", or "after" the multimedia content is presented are acts of scheduling the advertisements and discounting the price of the multimedia, when one of these options is selected by the user, is an act of rewarding. The Examiner additionally notes that Oh, in a similar fashion to Boston (Col. 5 Lines 35-67 and Col. 6 Lines 1-54), discloses retrieving advertisements based on "user information" (as disclosed in Paragraph [0045]).

It is therefore the Examiner's position that the combination of Boston, Yen, and Oh teach the limitations recited in Claims 9-10 and similarly Claims 19-20 and 29-30.

Discussion of Rejections of Claims 32-40 under 35 U.S.C. 103(a) as being unpatentable over Boston in view of Yen in further view of Wood.

No additional arguments are presented (Appeal Brief Page 21) over and above those previously addressed. Accordingly, the rejection is believed to be proper for the previously addressed reasoning.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Patrick A Ryan/
Examiner, Art Unit 2427

Conferees:
/Scott Beliveau/
Supervisory Patent Examiner, Art Unit 2427

/Jason P Salce/
Primary Examiner, Art Unit 2421